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PATENT
02P20262US01**REMARKS**

Claims 1 – 30 are currently pending in this application with claims 1 and 3 - 30 being amended and claim 2 being cancelled by this response.

Claim 1 was amended to more clearly define the present claimed invention by including the features of original claim 2.

Rejection under 35 U.S.C. 102(a)

Claims 1 – 30 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's disclosure.

Claims 1 – 30 have been formally amended in accordance with the Examiner's suggestion to shift this invention from an apparatus to a method. As noted by the Examiner, MPEP 706.03(a) recites "35 U.S.C. 101, which permits patents to be granted only for 'any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof.' The term 'process' as defined in 35 U.S.C. 100, means process, art or method, and includes a new use of a known process, machine, manufacture, composition of matter or material." The invention as claimed in amended claims 1 and 3 - 30 describe an inventive method for cash accounting for use in a hospital. Applicant respectfully submits that this method is neither disclosed nor suggested by the Applicant's disclosure.

The present claimed invention describes a method of automatic cash accounting for use in a hospital. A message processor receives message data including a first income amount total value, representing cash income received during a first time period, and an associated first income source identifier identifying one of a plurality of departments internal to the hospital providing the associated first income amount total value. The message processor further receives second message data identifying medical insurance reimbursement income amounts received for services rendered to multiple patients during the first time period. A data processor automatically processes the received message data

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by identifying an income account associated with the one of the departments based on the first income source identifier, and updates the identified income account with the first income amount total value to indicate the first income amount total value received by the identified income account during the first time period. Data representing total values from a plurality of income accounts to provide a first income amount cumulative total value representing combined cash income total value for the departments during the first time period is collated and combined. The reimbursement income amounts is combined with the cash total value for the departments during the first time period to provide a total amount. A financial statement record is created using the total amount during the first time period. Independent claims 1, 15, 17 and 26 include similar features as presented above.

The Examiner cites the Applicant's disclosure as anticipating the claimed system. However, in view of the amendments to the claims, the present invention recites a "method of cash accounting for use in a hospital". Specifically, the claimed method recites "receiving, via said message processor, second message data identifying medical insurance reimbursement income amounts received for services rendered to multiple patients during said first time period." This activity is neither disclosed nor suggested in Applicant's disclosure. Therefore, as stated in Bristol-Myers Squibb v. Ben Venue Laboratories, Inc., "anticipation requires a showing that each limitation of a claim is found in a single reference" (246 F.3d 1368), Applicant respectfully submits that this threshold is not met by Applicant's disclosure. In fact, Applicant's disclosure provides, by way of example, other cash accounting systems used in retail establishments, such as Macy's and K-mart, in order to emphasize the difference between retail cash accounting systems and the "method of cash accounting for use in a hospital" that receives "second message data identifying medical insurance reimbursement income amounts for multiple patients for services rendered to said multiple patients in said first time period" as in the present claimed invention. Additionally, the retail systems neither disclose nor suggest "combining said reimbursement income amounts with said cash total value for said departments during said first time period to provide a total amount" and "creating a

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financial statement record using said total amount during said first time period" as in the present claimed invention.

Additionally, while Applicant suggests modifications to the cash register system used in retail business (Exhibit B, page 1, lines 23-27), the processes to account for the daily revenue activities that occur in the retail industry do not take into account many of the necessary elements that are required when accounting in a healthcare environment such as "medical insurance reimbursements". A retail accounting system differs substantially from a healthcare accounting system. Therefore, Applicant respectfully submits that there is no common problem recognition between a retail accounting system and a "method for cash accounting for use in a hospital" as in the present claimed invention. Thus, the present claimed method discloses a new and inventive process when compared to the retail accounting performed in chain stores such as Macy's or K-Mart. In fact, there is no reason for Macy's and/or K-Mart to have an method of cash accounting that receives "second message data identifying medical insurance reimbursement income amounts received for services rendered to multiple patients during said first time period" as in the present claimed invention. Retail chain accounting systems provide no motivation to include the claimed feature regarding "medical reimbursement" information. Thus, there is no need for a retail chain to "combin[e] said reimbursement income amounts with said cash total value for said departments during said first time period to provide a total amount" as in the present claimed invention. Furthermore, the retail chain would have no need for "creating a financial statement record using said total amount during said first time period" as in the present claimed invention.

With respect to Claim 4, Applicant's disclosure neither discloses nor suggests that a retail chain accounting system that is able to tie the "medical insurance reimbursement income amount value for services rendered to a particular patient and an associated patient identifier" as in the claimed invention. The process used in retail businesses make no mention of patient identifiers, let alone "medical insurance reimbursement income amount value for services rendered to a particular patient and an associated patient

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identifier" as in the present claimed invention. In fact, due to the difference between the retail industry and healthcare industry, Macy's and K-Mart would have no reason to include the activity claimed in claim 4 of the present invention.

Additionally, retail chains have no motivation to include receiving "an individual message data item including a medical reimbursement income account value and associated patient identifier" as in claim 8 of the present invention. Therefore, there is no 35 USC 112 compliant enabling disclosure in Applicant's disclosure that anticipates "identifying an income account associated with said one of said patients based on said patient identifier, and updates said identified income account to indicate said medical insurance reimbursement income amount value received" and "creating said financial statement record includes using said combined cash income total value and data derived from said patient income account" as claimed in claim 8 of the present invention.

Applicant's use of a retail cash accounting system is for purposes of comparison and this comparison does not disclose a method that incorporates a centralized mechanism that can handle the complex cash management and accounting process of a healthcare facility that is able to manage the collection, balance, reconcile both general accounting and cash flow reporting for a hospital using appropriate cash controls. As stated in the disclosure, retail accounting systems use different variables and factors to comply with accounting standards. Specifically, retail systems such as K-Mart and Macy's neither disclose nor suggest handing "medical insurance reimbursements" as in the present claimed invention. Furthermore, the inventor has advantageously recognized that medical insurance reimbursements are deposited directly into the bank account of the healthcare facility and not taken into account in the daily accounting on the day they are received. Thus, at any given time, the accountants do not have an accurate representation of the healthcare facility finances. In the present claimed invention, however, the medical insurance reimbursements are entered into the system on the day they are received, thereby streamlining the process of balancing the accounts and preventing the underestimation of month end receivables. This provides a substantial benefit in

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managing a complex organization like a hospital and is of real value in enabling resource management in the hospital.

Claims 15, 17 and 26 were amended similarly to claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claims 15, 17 and 26.

In view of the above remarks, Applicant respectfully submits that Applicant's admissions provide no 35 USC 112 compliant enabling disclosure that renders the present invention as claimed in claims 1, 15, 17 and 26 unpatentable. As claims 2-14 are dependent on claim 1, claim 16 is dependent on claim 15, claims 18-25 are dependent on claim 17 and claims 27-30 are dependent on claim 26, Applicant respectfully submits that these claims are patentable for the same reasons as discussed above regarding claims 1, 15, 17 and 26. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

In view of the above amendments and remarks, Applicant submits that the Application is in condition for allowance, and favorable reconsideration is requested.

No fee is believed due with this response. However, please charge any fee associated with this Amendment to deposit account 19-2179.

Respectfully submitted,



Alexander J. Burke
Reg. No. 40,425

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Siemens Corporation,
Customer No. 28524

Tel: 732-321-3023

Fax: 732-321-3030